

**Public Notice on a Proposed Environmental Cooperative Agreement
between the Wisconsin Department of Natural Resources and
Wisconsin Electric Power Company - Pleasant Prairie Power Plant, 8000 95th Street,
Pleasant Prairie, Kenosha County, Wisconsin**

Pursuant to Section 299.80, Wis. Stats., the Department of Natural Resources (DNR) is proposing to issue and enter into an Environmental Cooperative Agreement with Wisconsin Electric Power Company under the Environmental Cooperation Pilot Program.

Pleasant Prairie Power Plant, located at 8000 95th Street, Pleasant Prairie, Kenosha County is an electric generating plant and employs 177 people. Wisconsin Electric Power Company volunteered to help Wisconsin DNR pilot new approaches to environmental regulation through the Environmental Cooperation Pilot Program. The Agreement contains the language that determines how DNR and Wisconsin Electric Power Company will carry out the goals of the Environmental Cooperation Pilot Program. Public comments on the proposed Agreement are welcome.

Summary of the proposed Environmental Cooperative Agreement

The proposed Agreement would allow Wisconsin Electric Power Company to recover coal ash from any of nine company-owned landfills and convert it from a waste product into a valuable commodity. The recovered ash would either be used to make an aggregate material for construction uses, or it would be blended with coal and burned at the Pleasant Prairie Power Plant to generate electricity. In addition, the proposed agreement grants pre-approval for certain minor modifications to the facility, and streamlines some monitoring, recordkeeping, and reporting requirements. The complete proposal is available at <http://www.dnr.state.wi.us/org/caer/cea/ecpp/>.

About the Environmental Cooperation Pilot Program

The Environmental Cooperation Pilot Program (Program) was introduced by Governor Thompson and passed by the State Legislature as part of the 1997 – 1999 Biennial Budget. It is designed to evaluate innovative environmental regulatory methods including whole-facility regulation. It encourages the use of systematic assessments of environmental impacts from this facility, and is designed to focus on reducing pollution in an efficient and cost effective manner. The Program provides increased flexibility for pilot facilities that not only maintain existing levels of environmental protection, but also go beyond and provide superior environmental performance. Furthermore, the Program encourages substantial public participation by those affected by the activities at the facility.

Revisions to the State Implementation Plan (SIP) for Air Quality

DNR also intends to submit Attachment 2 of the final Cooperative Agreement to the United States Environmental Protection Agency (USEPA) as a source-specific SIP revision.

Opportunity for public to comment

There is a 30-day public comment period associated with the proposed Environmental Cooperative Agreement, which will end 30 days from the date of publication of this notice. During the 30-day public comment period, DNR will accept written comments from the public regarding its proposed Environmental Cooperative Agreement with Wisconsin Electric Power Company and its proposal to submit Attachment 2 of the agreement as a source-specific SIP revision. These comments will be considered before a

final decision is made on the agreement or the SIP submittal. Submit comments on the proposed actions by US Mail, fax or e-mail to John Shenot, the DNR project manager.

Notice of Public Hearing

NOTICE IS HEARBY GIVEN that DNR will conduct a public hearing on the proposed Cooperative Agreement and on submitting Attachment 2 of the Agreement to USEPA as a source-specific SIP revision. The hearing will be held:

Monday, January 22, 2001 at 1:30 p.m.
Auditorium of Pleasant Prairie Village Hall
9915 39th Avenue, Pleasant Prairie, Wisconsin.

How DNR will make a final decision on the proposed action

In making a final decision on the proposed action, DNR will insure that the applicant has complied with all of the requirements in s. 299.80(6)(d), Wis. Stats. DNR will also review and consider all public comments received within the 30-day public comment period and at the public hearing. In consultation with the project manager and other staff, the DNR Secretary will decide whether or not to sign and implement the Environmental Cooperative Agreement.

The decision by the Department to enter into an agreement is not subject to review under ch. 227, Wis. Stats. The agreement itself, once issued, is subject to review under ch. 227, Wis. Stats. To request a contested case hearing pursuant to s. 227.42, Wis. Stats., a person has 30 days after the agreement is issued to serve a petition for hearing upon the Secretary of the DNR. A request for contested case hearing should be made in accordance with s. NR 2.05(5), Wis. Adm. Code. The filing of a request for contested case hearing is not a prerequisite for judicial review under ch. 227, Wis. Stats., and does not extend the time limits for filing a petition for judicial review.

For additional information about the proposed agreement, please contact:

Department of Natural Resources
John Shenot, Project manager
101 S. Webster St., PO Box 7921
Madison, WI 53707-7921
shenoj@dnr.state.wi.us
608-267-0802
608-267-0496 fax

Wisconsin Electric Power Company
Steve Downs, Plant manager
8000 95th Street
Pleasant Prairie, WI 53158
steve.downs@wepco.com
262-947-5321
262-947-5608 fax

Additional information available

Copies of this Cooperative Agreement and a fact sheet describing the Agreement can be accessed via the Internet at: <http://www.dnr.state.wi.us/org/caer/cea/ecpp/> or by contacting the DNR project manager, listed above.

Reasonable requests for the information in an alternate format will be provided to qualified individuals with disabilities.

For the Secretary:

/s/ Mark McDermid
Mark McDermid, Director
Bureau of Cooperative Environmental Assistance

12/8/2000
Date